



PEPSICO

May 28, 2008

Clay G. Small
Senior Vice President
Legal Affairs

The Honorable John D. Dingell
Chairman House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bart Stupak
Chairman
Subcommittee on Oversight and Investigations
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: PepsiCo, Inc. Response to May 8, 2008 Inquiry

Dear Chairman Dingell and Chairman Stupak:

I am responding to your May 8, 2008 letter to Ms. Indra K. Nooyi requesting certain information regarding food safety. Ms. Nooyi asked that I submit this response on her behalf. As previously agreed with your staff, this letter contains the response to the first question in your May 8th letter. We will be responding to the remaining questions on behalf of the U.S. business units on June 5th and our international business units on June 19th. We appreciate the additional time that has been provided to prepare our responses.

PepsiCo, Inc. (PepsiCo) is one of this country's largest food companies and our products are available in almost 200 countries. PepsiCo consists of PepsiCo Americas Beverages (PAB), PepsiCo Americas Foods (PAF), and PepsiCo International (PI). PAB includes PepsiCo Beverages North America and all Latin American beverage businesses. There are numerous beverages in the PAB portfolio, including well-known brands such as PEPSI, MOUNTAIN DEW, MUG, and SIERRA MIST soft drinks; SOBE juice and energy drinks; LIPTON iced teas; TROPICANA and DOLE fruit juices; NAKED juice; GATORADE thirst quencher and PROPEL fit water; and AQUAFINA bottled water. PAF includes Frito-Lay North America, Quaker Foods North America and all Latin America food and snack businesses. The Frito-Lay and Quaker business units of PAF market popular brands such as LAY'S and RUFFLES potato chips; FRITOS corn chips; DORITOS and TOSTITOS tortilla chips; ROLD GOLD pretzels; CHEETOS, SUNCHIPS, and CRACKER JACK snacks; CAP'N CRUNCH and LIFE cereals; QUAKER oatmeal; QUAKER grits; AUNT JEMIMA syrups and mixes; QUAKES snacks; QUAKER rice cakes and soy crisps; QUAKER snack bars; and RICE-A-RONI and PASTA RONI side dishes. PI includes all of PepsiCo's businesses in Europe, the Middle East, Asia, and Africa.

We are submitting this response on behalf of the United States business units for products processed and sold by those units in the U.S. Information for our international business units, including products sold in Puerto Rico and other U.S. territories, will be included in our response that will be submitted on June 19th.

In your May 8th inquiry, you requested the following:

1. A list of all food recalls and food safety alerts issued by your company. For each recall or safety alert, please provide the date of the recall or alert, the product and brand affected, and the reason for the recall or alert. If the food was affected by microbial or chemical contamination, please identify the contaminant.

Attachment 1A contains a table identifying all recalls initiated by PepsiCo since January 1, 2000. For each recall, we have identified the date of the recall, the brand and product affected, the reason for the recall, and whether FDA was notified. If the food was affected by microbial or chemical contamination, we have identified the contaminant and the location of the facility that processed the contaminated food. We have also identified the FDA class of recall.

We also are including in Attachment 1B a list of market withdrawals conducted by PepsiCo since January 1, 2000 involving situations where we notified FDA that we were removing a product from the market. The market withdrawals involved circumstances that did not present a product safety issue and were not classified by FDA as recalls. While we do not view market withdrawals as being within the scope of this question, we are including them in our response because they are evidence of our commitment to working cooperatively with FDA and keeping the agency informed of issues involving our products. We have labeled Attachment 1B as "confidential" because we view the information on market withdrawals, which is not publicly available, as proprietary business information. We understand the Committee is not legally bound to protect confidentiality. We, nonetheless, ask that you respect the confidential nature of this information.

We compiled the attached lists after conducting a thorough review of the information in our files. We also searched the FDA enforcement reports and a database that tracks FDA recalls to ensure that we captured recalls initiated by PepsiCo. The attached list reflects the recalls where a PepsiCo business unit is identified as the recalling firm. While beyond the scope of the question, we also are including recalls handled by franchise bottlers of PepsiCo products. Because PepsiCo did not handle these latter recalls, we have limited information in our files.

PepsiCo is proud of its record of selling safe products and proactively and effectively removing any potentially unsafe products from the marketplace. Given the sheer number of our products manufactured and sold on a daily basis in the United States, the low number of food safety incidents is a testament to our commitment to producing safe and high quality products for consumers.

If we can answer any questions regarding the information provided in this letter, please let us know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Clay G. Small". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Clay G. Small
Senior Vice President - Legal Affairs

cc: The Honorable Joe Barton, Ranking Member
House Committee on Energy and Commerce

The Honorable John Shimkus, Ranking Member
Subcommittee on Oversight and Investigations